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 11 FAMILY TRUST, OPSRING, LLC, and EDRA  
 BLIXSETH  
 12

13 **UNITED STATES DISTRICT COURT**  
 14 **DISTRICT OF NEVADA**  
 15

16 DENNIS MONTGOMERY and the  
 MONTGOMERY FAMILY TRUST,

17 Plaintiffs,

18 vs.

19 ETREPPID TECHNOLOGIES, LLC, WARREN  
 20 TREPP, and the UNITED STATES  
 DEPARTMENT OF DEFENSE,

21 Defendants.  
 22

23 AND RELATED CASES.  
 24

) Case No. 3:06-CV-00056-PMP-VPC  
 ) BASE FILE  
 )

) (Consolidated with Case No. 3:06-CV-  
 ) 00145-PMP-VPC)  
 )

) **STIPULATION RE: EXTENSION OF**  
 ) **TIME FOR EDRA BLIXSETH AND**  
 ) **OPSPRING, LLC TO FILE RESPONSE**  
 ) **TO COUNTERCLAIM**  
 )

1 Counterdefendants Opspring, LLC ("Opspring") and Edra Blixseth ("Blixeth"), and  
2 Counterclaimant eTreppid Technologies, Inc. ("eTreppid"), by and through their attorneys of  
3 record, hereby stipulate as follows:

4 WHEREAS, on January 29, 2008, counsel for Opspring and Blixseth agreed to accept  
5 service of the Counterclaim summons on behalf of those parties;

6 WHEREAS, eTreppid thereafter served Opspring's registered agent with summons and  
7 complaint on February 13, 2008;

8 WHEREAS, eTreppid then served an Acknowledgement and Acceptance of Service for  
9 Blixseth on her counsel on February 25, 2008;

10 WHEREAS, Opspring's response would be due on or before March 4, 2008, pursuant to  
11 Rule 12 of the Federal Rules of Civil Procedure;

12 WHEREAS, Blixseth's response would be due twenty (20) days from the date the  
13 Acknowledgement and Acceptance of Service is executed, pursuant to Rule 4(e)(1) of the Federal  
14 Rules of Civil Procedure and Section 415.30(c) of the California Code of Civil Procedure ("service  
15 of summons . . . is deemed complete on the date a written acknowledgement of receipt is  
16 executed"), and at the latest, by April 7, 2008, forty (40) days from the date the Acknowledgement  
17 and Acceptance of Service was served upon counsel, pursuant to Section 415.30(d) of the  
18 California Code of Civil Procedure;

19 WHEREAS, the Montgomery Parties' Motion to Dismiss the Non-Statutory Trade Secret  
20 Causes Of Action in the Counterclaim is fully briefed and pending, and that motion addresses some  
21 of the causes of action asserted against Opspring and Blixseth;

22 WHEREAS, the parties and eTreppid agree it would be efficient to await the Court's ruling  
23 on the Motion to Dismiss before Blixeth or Opspring file their responsive pleadings, so as to avoid  
24 unnecessary duplicity and so that the parties may have the benefit of the Court's ruling in preparing  
25 their response to the Counterclaim;

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the  
2 parties that Opspring and Blixseth shall have an extension of time to respond to eTreppid's  
3 Counterclaim through and including March 24, 2008.

4  
5 **IT IS SO STIPULATED.**

6 Dated: February 29, 2008

Respectfully submitted,

7 LINER YANKELEVITZ  
8 SUNSHINE & REGENSTREIF LLP

9  
10 By: 

Deborah A. Klar  
Tuneen E. Chisolm  
Attorneys for Plaintiffs  
DENNIS MONTGOMERY and the  
MONTGOMERY FAMILY TRUST

11  
12  
13 Dated: February 29, 2008

Respectfully submitted,

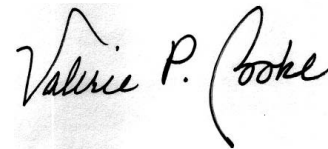
14 HALE LANE PEEK DENNISON AND HOWARD

15  
16 By: 

Jerry M. Snyder, Esq.  
Attorney for eTREPPID  
TECHNOLOGIES, INC.

17  
18  
19 **IT IS SO ORDERED**

20 Dated: This 3rd day of March, 2008



21  
22  
23 UNITED STATES MAGISTRATE JUDGE



# CERTIFICATE OF SERVICE

Pursuant to NRC 5(b), I certify that I am an employee of the LAW OFFICES OF LINER YANKELEVITZ SUNSHINE & REGENSTREIF LLP, and that on February 29, 2008, I caused to be served the within document described as **STIPULATION RE: EXTENSION OF TIME FOR EDRA BLIXSETH AND OPSRING, LLC TO FILE RESPONSE TO COUNTERCLAIM** on the interested parties in this action as stated below:

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☒ **[ELECTRONIC]** By filing the document(s) electronically with the U.S. District Court and therefore the court's computer system has electronically delivered a copy of the foregoing document(s) to the persons listed above at their respective email address.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on 2/29/2008, at Los Angeles, California

Criss A. Draper  
(Type or print name)

Criss A. Draper  
(Signature)